



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

RAS Citron, LLC

Authorized Agent for Secured Creditor
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Laura Eggerman, Esq. (LE-8250)

In Re:

**ROBERT R. MADARA and
DARLENE F. MADARA,**

Debtors.

Order Filed on January 5, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

CASE NO.: 16-12747-JNP

CHAPTER 13

HEARING DATE: December 19, 2017

JUDGE: Jerrold N. Poslusny, Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: January 5, 2018

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Secured Creditor: DITECH FINANCIAL LLC

Secured Creditor's Counsel: RAS Citron, LLC

Debtor's Counsel: Law Offices of Seymour Wasserstrum

Property Involved ("Collateral"): 314 E Buckshutem Road, Millville, NJ 08332

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 2 months, from 01/01/2017 to 02/01/2017, at \$518.35 per month.
- ☒ The Debtor is overdue for 10 payments, from 03/01/2017 to 12/01/2017, at \$514.18 per month.
- ☐ The Debtor is overdue for payments, from to , at \$ per month.
- ☐ The Debtor is assessed for late charges at \$ per month.

Funds Held In Suspense \$498.61.

Total Arrearages Due \$5,679.89.

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$. Payment shall be made no later than .
- ☒ Beginning on 01/01/2018, regular monthly mortgage payments shall continue to be made in the amount of \$514.18.

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$_____ for _ months.

■ The amount of \$5,679.89 shall be capitalized in the debtor's Chapter 13 plan. Debtor must file an Amended Plan, and Schedules I and J within twenty-one (21) days of the entry of this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

■ Regular monthly payment: Ditech Financial LLC

P.O. Box 0049

Palatine, IL 60055-0049

☐ Monthly cure payment:

4. In the event of Default:

■ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$350.00, and costs of \$181.00.

The fees and costs are payable:

☒ Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



William Clunn, Esq.
Attorney for Debtor(s)

Date: 1/1/18



Laura M. Eggerman, Esq.
Attorney for Secured Creditor

Date: 01-02-2018